

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of 2015 Iowa Acts, Senate File 510, and Iowa Code section 135I.4(5), the Department of Public Health hereby gives Notice of Intended Action to amend Chapter 15, “Swimming Pools and Spas,” Iowa Administrative Code.

These proposed amendments clarify the definition of residential swimming pool used for commercial purposes and correct the existing underwater lighting requirement.

Any interested person may make written comments or suggestions on the proposed amendments on or before October 6, 2015. Such written comments should be directed to Carmily Stone, Bureau Chief of Environmental Health Services, Department of Public Health, 321 East 12th Street, Des Moines, Iowa 50319. E-mail may be sent to carmily.stone@idph.iowa.gov.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement 2015 Iowa Acts, Senate File 510, and Iowa Code sections 135I.4(3) and 135I.4(5).

The following amendments are proposed.

ITEM 1. Amend subrule **15.3(1)**, definition of “Residential swimming pool,” as follows:

“*Residential swimming pool*” means any swimming pool that is used, or intended to be used, in connection with a single-family residence and that is available only to the family of the householder and the householder’s private guests. A residential swimming pool used for any commercial purpose, including, but not limited to, swimming lessons or exercise classes, shall comply with the requirements of 15.4(6) “n.” A residential swimming pool used for private swimming lessons for over 207 hours in a calendar month, or the number of hours prescribed by local ordinance applicable to such use of a residential swimming pool, whichever is greater, shall be considered a public swimming pool and shall be subject to all the requirements of this chapter. A residential swimming pool used for any other commercial purposes for more than 60 hours in a calendar month shall be considered a public swimming pool and shall be subject to all the requirements of this chapter.

ITEM 2. Amend subparagraph **15.5(13)“k”(1)** as follows:

(1) Underwater lighting of at least ~~60~~ 8 lamp lumens/ft² or 0.5 watts/ft² of water surface area, located to provide illumination of the entire swimming pool bottom, and area lighting of at least 10 lumens/ft² or 0.6 watts/ft² of deck area.